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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,392	08/16/2001	Bryan K. Hicks	14591.10	1575
22913	7590	11/30/2004	EXAMINER	
WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY) 60 EAST SOUTH TEMPLE 1000 EAGLE GATE TOWER SALT LAKE CITY, UT 84111			HO, THOMAS Y	
			ART UNIT	PAPER NUMBER
			3677	
DATE MAILED: 11/30/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/931,392

Applicant(s)

HICKS ET AL.

Examiner

Thomas Y Ho

Art Unit

3677

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 24-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

***Status of Claims***

Claims 24-45 are currently pending. Claims 1-23 have been withdrawn or cancelled.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 24-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matoba US5465472 in view of Takahashi US5471716.**

As to claim 24, Matoba discloses: a multi-part lanyard connector that couples to a lanyard substrate and selectively couples to an attachment to thereby form a lanyard system, the multi-part lanyard connector enabling convenient disengagement at multiple connection points, the lanyard connector comprising: (A) a lanyard connector body comprising: a first body portion 20 that is configured to couple to a lanyard substrate (Column 5, Lines 5-10), the first portion having a proximal portion 25 and a distal portion 24a, wherein the proximal portion of the first portion is configured to couple to a lanyard substrate, and a second body portion 10 (lower half of 10 in Figure 2) that is configured to be selectively disengaged from the first body portion, the second body portion having a proximal portion 16/16 and a distal portion (near 14 in Figure 2), the proximal portion of the second body portion selectively, nonrotatably coupling to the distal portion of the first body portion; and an attachment 12/15, such that a user can selectively detach the first body portion from the second body portion.

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The difference between the claim and Matoba is the claim recites: (B) a neck extending distally from the distal portion of the second body portion, a distal portion of the neck being configured to be disposed within and coupled to a portion of an attachment to thereby form a lanyard system, such that a user can selectively detach an attachment from the distally extending neck. Takahashi discloses a buckle (see Figures 1 and 3) similar to that of Matoba (see Figure 2). In addition, Takahashi also teaches a neck 25/26 extending distally from the distal portion 13a of a second body portion 13, a distal portion of the neck being configured to be disposed within and coupled to a portion of an attachment 12 to thereby form a lanyard system, such that a user can selectively detach an attachment from the distally extending neck. It would have been obvious to one of ordinary skill in the art, having the disclosures of Matoba and Takahashi before him at the time the invention was made, to modify the single second body portion 10 of Matoba to be comprised of two interconnected portions 12/13 as in Takahashi, to obtain a dual male body portion connected by a neck to an attachment. The combination of Matoba and Takahashi would place the neck assembly of Takahashi between the upper and lower halves of the portion 10 in Matoba. One would have been motivated to make such a combination because the ability to provide a buckle wherein a male coupling member and a female coupling member are freely rotatable relative each other in various directions so that the buckle can fit variant shapes of a wearer body and variable movement of the wearer (Column 2, Lines 45-55).

As to claim 25, Matoba discloses: wherein the first body portion selectively buckles onto the second body portion.

As to claim 26, Matoba discloses: wherein the second body portion comprises a male buckle portion that is configured to be selectively disengaged from the first body portion, the

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Art Unit: 3677

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male buckle portion having: (i) a proximal portion and a distal portion, the proximal portion of the male buckle portion comprising a plurality of protuberances 14/14 that selectively couple to the distal portion of the first body portion.

Takahashi teaches: a dual male buckle portion, and (ii) a distally extending split neck extending from an opposing side of the dual male buckle portion, the neck being configured to be disposed within and coupled to a portion of the attachment in a snap-fitting, rotating engagement with the attachment.

As to claim 27, Takahashi teaches: wherein the distally extending neck enables the attachment to rotate about the neck.

As to claim 28, Matoba discloses: wherein the second body portion comprises a male buckle portion that is configured to be selectively disengaged from the first body portion, the male buckle portion having: (i) a proximal portion and a distal portion, the proximal portion of the dual male buckle portion comprising outer protuberances that are sufficiently flexible to selectively couple to the distal portion of the first body portion and an elongate protuberance 13 positioned between the outer protuberances and configured to selectively fit within a mating recess within the first body portion, such that the male buckle portion is nonrotatably coupled to the first body portion.

Takahashi teaches: a dual male buckle portion, and (ii) a distally extending split neck extending from an opposing side of the dual male buckle portion, the neck being configured to be disposed within and coupled to a portion of the attachment in a snap-fitting, rotating engagement with the attachment.

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As to claim 29, Takahashi teaches: wherein the distally extending neck comprises a split neck having first and second opposing tapering portions configured such that the tapering portions contact a portion of an attachment when the attachment is mounted thereon.

As to claim 30, Takahashi teaches: wherein the distally extending neck engages the attachment in a snap-fitting relationship.

As to claim 31, Takahashi teaches: wherein the neck comprises a split neck comprising opposing right and left neck members, each neck member comprising a thinner proximal member and a distal, wider skirt member, wherein the proximal members collectively form a proximal portion having a substantially circular cross section and the skirt members collectively form a skirt portion which tapers proximally, widening as they proceed toward the lanyard connector body.

As to claim 32, Matoba discloses: a multi-part lanyard connector that couples to a lanyard substrate and selectively couples to an attachment to thereby form a lanyard system, the multi-part lanyard connector enabling convenient disengagement at multiple connection points, the lanyard connector comprising: (A) a lanyard connector body comprising: a first body portion that is configured to couple to a lanyard substrate, the first portion having a proximal portion and a distal portion, wherein the proximal portion of the first portion is configured to couple to a lanyard substrate; and a second body portion that is configured to be selectively disengaged from the first body portion, the second body portion having a proximal portion and a distal portion, the proximal portion of the second body portion selectively coupling to the distal portion of the first body portion, and an attachment, such that a user can selectively detach the first body portion

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from the second body portion, wherein the first and second body portions are configured to be nonrotatably coupled.

Takahashi teaches: (B) a split neck extending distally from the distal portion of the second body portion, a distal portion of the neck being configured to be selectively disposed within and coupled to a portion of an attachment in a snap-fitting, rotating engagement, to thereby form a lanyard system, the split neck having first and second opposing tapering portions configured such that the tapering portions contact a portion of an attachment when the attachment is mounted thereon, such that a user can selectively detach an attachment from the distally extending neck.

As to claim 33, Matoba discloses: a multi-part lanyard connector that couples to a lanyard substrate and selectively couples to an attachment to thereby form a lanyard system, the multi-part lanyard connector enabling convenient disengagement at multiple connection points, the lanyard connector comprising: a female buckle portion that is configured to couple to a lanyard substrate, the female buckle portion having a proximal portion and a distal portion, wherein the proximal portion of the female buckle portion is configured to couple to a lanyard substrate; a male buckle portion that is configured to be selectively disengaged from the female buckle portion, the male buckle portion having: (i) a proximal portion and a distal portion, the proximal portion of the male buckle portion comprising a plurality of protuberances that selectively couple to the distal portion of the female buckle portion; such that a user can selectively detach the male buckle portion from the female buckle portion, wherein the proximal portion of the male buckle portion is configured to be nonrotatably coupled to the female buckle portion.

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~~Takahashi teaches: a dual male buckle portion, and (ii) a distally extending split neck~~  
extending from an opposing side of the dual male buckle portion, the neck being configured to be disposed within and coupled to a portion of an attachment in a snap-fitting, rotating engagement with the attachment, wherein the neck comprises a split neck comprising opposing right and left neck members, each neck member comprising a thinner proximal member and a distal, wider skirt member, the skirt members tapering and widening proximally, such that an attachment can be selectively, snap fit onto the split neck in rotating engagement with the split neck and can selectively detach an attachment from the distally extending neck.

As to claim 34, Matoba discloses: wherein the male and female buckle portions are configured to be nonrotatably coupled to each other.

As to claim 35, Matoba discloses: wherein the first and second protuberances each have a proximal end and a distal end, the proximal end of each protuberance entering a respective recess in the female buckle portion when the male buckle portion is coupled to the female buckle portion, and wherein each protuberance includes a distally facing notched portion located between a respective proximal and distal end of each respective protuberance.

As to claim 36, Matoba discloses: wherein the portion of each protuberance extends out of the female buckle portion when the protuberances are coupled thereto so as to be exposed through a respective recess in the female buckle portion, such that a user can unbuckle the protuberances by pressing inwardly thereon.

As to claim 37, Matoba discloses: a lanyard, comprising: a lanyard substrate; and a multi-part lanyard connector that couples to the lanyard substrate and selectively couples to an attachment to thereby form a lanyard system, the multi-part lanyard connector enabling

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convenient disengagement at multiple connection points, the lanyard connector comprising: (A)

a lanyard connector body comprising a first body portion coupled to the lanyard substrate, the first portion having a proximal portion and a distal portion, wherein the proximal portion of the first portion couples to the lanyard substrate, and a second body portion that is configured to be selectively disengaged from the first body portion, the second body portion having a proximal portion and a distal portion, the proximal portion of the second body portion selectively, nonrotatably coupling to the distal portion of the first body portion, such that a user can selectively detach the first body portion from the second body portion.

Takahashi teaches: (B ) a neck extending distally from the distal portion of the second body portion, a distal portion of the neck being configured to be disposed within and coupled to a portion of an attachment to thereby form a lanyard system, and can selectively detach an attachment from the distally extending neck.

As to claim 38, Takahashi teaches: wherein the neck comprises a split neck.

As to claim 39, Matoba discloses: wherein the distal portion of the first body portion comprises a female portion and the proximal portion of the second body portion comprises a male portion, the male portion selectively buckling into the female portion.

As to claim 40, Takahashi teaches: wherein the distally extending neck comprises a split neck having first and second opposing tapering portions configured such that the tapering portions contact a portion of an attachment when the attachment is mounted thereon, wherein the distally extending neck engages the attachment in a snap-fitting, rotating relationship.

As to claim 41, Matoba discloses: wherein the second body portion comprises a dual male buckle portion that is configured to be selectively disengaged from the first body portion,

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Art Unit: 3677

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the dual male buckle portion having: (i) a proximal portion and a distal portion, the proximal portion of the dual male buckle portion comprising a plurality of protuberances that selectively couple to the distal portion of the first body portion.

Takahashi teaches: and (ii) a distally extending split neck extending from an opposing side of the dual male buckle portion, the neck being configured to be disposed within and coupled to a portion of the attachment in a snap-fitting, rotating engagement with the attachment.

As to claim 42, Matoba discloses: wherein a portion of each protuberance extends out of the first body portion when the protuberances are coupled thereto so as to be exposed through a respective recess in the first body portion, such that a user can unbuckle the protuberances by pressing inwardly thereon.

As to claim 43, Matoba discloses: wherein the male and female buckle portions are configured to be nonrotatably coupled to each other.

As to claim 44, Matoba discloses: wherein the proximal portion of the second body portion comprises a plurality of protuberances that selectively couple to the distal portion of the first body portion, and the first and second protuberances each have a proximal end and a distal end, the proximal end of each protuberance entering a respective recess in the first body portion when the second body portion is coupled to the first body portion, and wherein each protuberance includes a distally facing notched portion located between a respective proximal and distal end of each respective protuberance.

As to claim 45, Matoba discloses: wherein the second body portion comprises a male buckle portion that is configured to be selectively disengaged from the first body portion, the male buckle portion having: (i) a proximal portion and a distal portion, the proximal portion of

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Art Unit: 3677

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the male buckle portion comprising outer protuberances that are sufficiently flexible to selectively couple to the distal portion of the first body portion and an elongate protuberance positioned between the outer protuberances and configured to selectively fit within a mating recess within the first body portion, such that the dual male buckle portion is nonrotatably coupled to the first body portion.

Takahashi teaches: a dual male buckle portion, and (ii) a distally extending split neck extending from an opposing side of the dual male buckle portion, the neck being configured to be disposed within and coupled to a portion of the attachment in a snap-fitting, rotating engagement with the attachment.

Applicant's arguments, see Amendment, filed 9/17/04, with respect to the rejection(s) of claim(s) 24-45 under Takahashi in view of Takahashi, and further in view of Kasai, and further in view of Schneider, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Matoba in view of Takahashi.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Y Ho whose telephone number is (703)305-4556. The examiner can normally be reached on M-F 10:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J Swann can be reached on (703)306-4115. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Art Unit: 3677

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Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TYH

  
JJ Swann  
Supervisory Patent Examiner  
Technology Center 3600

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